

AMENDMENTS TO THE DRAWINGS

In the Drawings:

Please replace drawing sheet 5 (showing Fig. 4B) with the newly-submitted figure attached herewith on a separate sheet.

The following are the changes and/or corrections made to the drawing:

Fig. 4B is amended to delete the hyperlinks.

REMARKS

This is a full and timely response to the outstanding non-final Office Action mailed February 9, 2005. Reconsideration and allowance of the application and presently pending claims 1-3, 5-11, 14-17 and 20-30, as amended, are respectfully requested.

1. Present Status of Patent Application

Upon entry of the amendments in this response, claims 1-3, 5-11, 14-17 and 20-30 remain pending in the present application. More specifically, claims 1, 8, 20-25 and 27-30 are directly amended. These amendments are specifically described hereinafter. It is believed that the foregoing amendments and additions add no new matter to the present application.

2. Prior Art Not Considered

Applicants are submitting an Information Disclosure Statement (IDS) under 37 CFR 1.97(c). The IDS is necessitated because of recent examination in various foreign jurisdictions. Applicants respectfully request consideration of the references identified in the IDS.

3. Specification Objection

The specification has been objected to for containing various informalities. Specifically, the Office Action objects to the disclosure because of an embedded hyperlink and/or another form of browser-executable code.

In response to the objection, Applicants have amended the specification to delete the hyperlink "http://www.highschool.edu" and the e-mail address "bob@aol.com" which are believed to form the basis of the objection. In view of these amendments, Applicants respectfully submit that the specification is not objectionable, and therefore respectfully request that the objection be withdrawn.

4. Drawings Objection

Figure 4B has been objected to because it contains an embedded hyperlink and/or other form of browser-executable code.

In response to this objection, the drawing has been amended so that the objectionable hyperlink "http://www.highschool.edu" and the e-mail addresses "bob@aol.com" and "eventsschedule@bigmuseum.org" read, respectively, as "http://www.highschool.***" and the e-mail addresses "bob@###.***" and "eventsschedule@&&.***". Accordingly, all references to commercial sites have been removed, and the hyperlink and the e-mail addresses have become inoperable.

In view of the above-noted amendments to the drawing, Applicants respectfully submit that the drawing is acceptable and respectfully request that the objection be withdrawn.

5. Claim Objections

Claims 1, 29 and 30 have been objected to because of the following informalities:

a. Claim 1

Claim 1 recites "a collection and distribution unit for accessing the source." The Office Action suggests to amend the phrase "accessing the source" to the phrase "accessing a source" at page 2. Applicants have amended claim 1 as suggested, and respectfully request withdrawal of the objection.

b. Claims 29 and 30

In claims 29 and 30, the Applicants are advised, at page 3 of the Office Action, that "should claim 29 be found allowable, claim 30 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k)."

Applicants first note that there is no formal objection of claims 29 or 30 to respond to. However, to advance prosecution of the pending application, Applicants offer the following comments.

Applicants note that claim 29 recites the added limitation of "transmitting a representation of the updated calendar." Claim 30 recites the added limitation of "conveying a representation of the updated calendar." The term "transmitting" and the

term "conveying" have different meanings. Even if such terms may be construed to be similar, they still have differences in their meaning. Accordingly, the scope of claims 29 and 30 are different. Accordingly, because of the differing scope of claims 29 and 30, these claims are allowable separately.

MPEP section 706.02(j) indicates that "it is important for an examiner to properly communicate the basis for a rejection so that the issues can be identified early and the applicant can be given fair opportunity to reply. ... It is important that the written record clearly explaining the rational for decisions made during prosecution of the application." If the next Office Action asserts an objection against claims 29 and 30, the Applicants respectfully request that the Office Action articulate with particularity and specificity as to precisely "why" these two claims, when considered together, are objectionable.

6. Response to Rejection of Claims 1, 3, 8-11, 14, 16, 17, 20-24 and 27-30 Under 35 U.S.C. §103

In the Office Action, claims 1, 3, 8-11, 14, 16, 17, 20-24 and 27-30 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Brandenberg et al.* (U.S. Pub. No. 2003/0063072), hereinafter *Brandenberg*, in view of *Berenson et al.* (U.S. Pub. No. 2001/0049617), hereinafter *Berenson*. It is well-established at law that, for a proper rejection of a claim under 35 U.S.C. §103 as being obvious based upon a combination of references, the cited combination of references must disclose, teach, or suggest, either implicitly or explicitly, all elements/features/steps of the claim at issue. See, e.g., *In Re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988), and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

a. Claims 1, 3, 8-11, 14, 16 and 17

Applicants respectfully submit that claim 1 is allowable for at least the reason that the proposed combination of *Brandenberg* in view of *Berenson* does not disclose, teach, or suggest at least the emphasized features recited in claim 1, repeated below:

1. An electronic calendaring device comprising:
an interface *configured to receive a calendar source list* and a *calendar database* generated by a first party, the calendar source list comprising:

type, identification, and format source identifiers; and
a native format;
a delivery method, and

the calendar database comprising information reflecting the schedule of
the first party, and wherein a source includes information compiled by an
organization-of-interest to the first party;

a collection and distribution unit for accessing the source and
retrieving calendar data in accordance with said calendar source list via
said interface; and

logic configured to incorporate retrieved calendar data into the
calendar database associated with the first party to generate an *updated
calendar database*, and configured to *deliver the updated calendar
database to the first party in accordance with information residing in the
calendar source list*.

Brandenberg teaches, at most, that "Digital Content G is a schedule in a calendar file format from the user's Soccer Team. Digital Content G will only be offered for presentation if initiated by the user by a query of search." (Paragraph 657). "For instance, the playable digital content for Digital Content G is a soccer schedule in a calendar file format. Should the soccer schedule require a large amount of cache memory, it is possible for the actual playable digital content to reside on network server 109. In such instances, a wrapper link 398 is provided within wrapper 397 to point to or provide an electronic link to the soccer schedule file. Should the user decide to retrieve or display the soccer schedule, *wrapper link 398 would cause the soccer schedule file to be retrieved* or played. Wrapper link 398 is a method of conserving cache memory. It should be understood that, aside from pointing to digital content, such wrapper links can be used for a wide variety of purposes, such as pointing to other data or memory locations, and as place holders for future data.." (Paragraph 659, emphasis added). Apparently, the Office Action is equating the *Brandenberg* "soccer schedule file" with the recited "retrieved calendar data" of claim 1. Then, the Office Action, at page 5, uses the *Berenson* "delivery method [email message, paragraph 35] ... to modify *Brandenberg* to include a delivery method as taught by *Berenson* for the purpose of ensuring that the delivery method is compatible with the user's calendar device [*Berenson*, Paragraph 33]."

However, Applicants note that *Berenson* discloses that "the user may indicate what kind of calendar the user has so the system may send the event schedule entry in the proper format." (Paragraph 33) Clearly, *Berenson* fails to disclose, suggest or teach

delivering "the updated calendar database to the first party in the native format" as recited in claim 1. Nor does *Brandenberg* disclose, suggest or teach either the features of generating "an updated calendar database" or delivering "the updated calendar database to the first party in accordance with information residing in the calendar source list.

Since neither *Brandenberg* or *Berenson* disclose, suggest or teach the above-recited features of claim 1, the proposed combination of *Brandenberg* in view of *Berenson* does not teach all of the claimed limitations of claim 1. Therefore, a *prima facie* case establishing an obviousness rejection by *Brandenberg* in view of *Berenson* has not been made. Thus, claim 1 is not obvious under proposed combination of *Brandenberg* in view of *Berenson*, and the rejection should be withdrawn.

Because independent claim 1 is allowable over the cited art of record, dependent claims 3, 8-11, 14, 16 and 17 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims 3, 8-11, 14, 16 and 17 contain all features/elements of independent claim 1. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the rejection to these claims should be withdrawn.

b. Claims 20-24 and 27-30

Applicants respectfully submit that claim 20 is allowable for at least the reason that the proposed combination of *Brandenberg* in view of *Berenson* does not disclose, teach, or suggest at least the emphasized features recited in claim 20, repeated below:

20. A method for producing a personalized composite calendar from a first calendar and calendar information from at least one organization-of-interest to a party associated with the first calendar, comprising:

generating a calendar source list comprising:

type, identification, and format identifiers associated with a source made available by the at least one organization-of-interest to a party;

a native format of the first calendar; and

a delivery method;

receiving the first calendar from the party and the calendar information from the organization-of-interest;

integrating the first calendar and the calendar information in accordance with the calendar source list to *generate an updated calendar*; and

forwarding the updated calendar to the party in accordance with the delivery method.

As shown above in the argument for allowability of claim 1, the proposed combination of *Brandenberg* in view of *Berenson* does not teach at least the above-emphasized features of claim 20.

Since neither *Brandenberg* or *Berenson* disclose, suggest or teach the above-recited features of claim 20, the proposed combination of *Brandenberg* in view of *Berenson* does not teach at least the claimed limitations of claim 20. Therefore, a *prima facie* case establishing an obviousness rejection by *Brandenberg* in view of *Berenson* has not been made. Thus, claim 20 is not obvious under proposed combination of *Brandenberg* in view of *Berenson*, and the rejection should be withdrawn.

Because independent claim 20 is allowable over the cited art of record, dependent claims 20-24 and 27-30 (which depend from independent claim 20) are allowable as a matter of law for at least the reason that the dependent claims 20-24 and 27-30 contain all features/elements of independent claim 20. Accordingly, the rejection to these claims should be withdrawn.

6. Response to Rejection of Claims 2, 5-7, 15, 25 and 26 Under 35 U.S.C. §103

In the Office Action, claims 2, 5-7, 25 and 26 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Brandenberg* in view of *Berenson* and further in view of *Williams* (U.S. Patent 5,761,525). Additionally, claim 15 stands rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Brandenberg* in view of *Berenson* and further in view of *Osborn* (U.S. Patent 6,760,728).

Because independent claim 1 is allowable over the cited art of record, dependent claims 2 and 5-7 (which depend from independent claim 1) are allowable as a matter of law for at least the reason that the dependent claims 2 and 5-7 contain all features/elements of independent claim 1. Similarly, because independent claim 20 is allowable over the cited art of record, dependent claims 25 and 26 (which depend from independent claim 20) are allowable as a matter of law for at least the reason that the dependent claims 25 and 26 contain all features/elements of independent claim 20. Accordingly, the rejection to these claims should be withdrawn.

CONCLUSION

In light of the foregoing amendments and for at least the reasons set forth above, Applicants respectfully submit that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 1-3, 5-11, 14-17 and 20-30 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

Respectfully submitted,

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